

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ABDALLAH HAWA and TERESA
POWELL,

Plaintiffs,

V.

COATESVILLE AREA SCHOOL
DISTRICT and
ANGELO ROMANIELLO,

Defendants,

and

COATESVILLE AREA SCHOOL
DISTRICT,

Third-Party Plaintiff,

V.

RHOADS & SINON LLP and
JAMES ELLISON, ESQUIRE,

Third-Party Defendants.

CIVIL ACTION

NO. 15-4828

ORDER

AND NOW, this 9th day of September, 2016, upon consideration of Third-Party Defendants James Ellison, Esquire's and Rhoads & Sinon LLC's Motions to Dismiss the First Amended Joinder Complaint filed by Third-Party Plaintiff Coatesville Area School District (Doc. Nos. 87 and 88, respectively), as well as the briefing in support thereof and in opposition thereto, it is hereby ORDERED that the Motions are GRANTED IN PART AND DENIED IN PART, as follows:

1. Counts I and II of the First Amended Joinder Complaint (Doc. No. 73) are DISMISSED WITH PREJUDICE;
2. Counts III-V of that First Amended Joinder Complaint are DISMISSED WITHOUT PREJUDICE; and
3. Third-Party Plaintiff Coatesville Area School District is permitted to transfer Counts III-V to the appropriate Court of Common Pleas pursuant to 42 Pa. Cons. Stat. § 5103.

BY THE COURT:

/s/ Marilyn Heffley

MARILYN HEFFLEY

UNITED STATES MAGISTRATE JUDGE